

**REGULAR MEETING AGENDA OF THE
CITY COUNCIL OF LAYTON, UTAH**

PUBLIC NOTICE is hereby given that the City Council of Layton, Utah, will hold a regular public meeting in the Council Chambers in the City Center Building, 437 North Wasatch Drive, Layton, Utah, commencing at **5:30 PM on March 31, 2016.**

AGENDA ITEMS:

1. CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITION, APPROVAL OF MINUTES:

2. MUNICIPAL EVENT ANNOUNCEMENTS:

3. VERBAL PETITIONS AND PRESENTATIONS:

4. CITIZEN COMMENTS:

5. CONSENT ITEMS:(These items are considered by the City Council to be routine and will be enacted by a single motion. If discussion is desired on any particular consent item, that item may be removed from the consent agenda and considered separately.)

A. Adopting and Approving a Real Estate Purchase from Utah Department of Transportation (UDOT) - Resolution 16-21 - Approximately 2060 North 1400 West

6. PUBLIC HEARINGS:

7. PLANNING COMMISSION RECOMMENDATIONS:

8. NEW BUSINESS:

9. UNFINISHED BUSINESS:

10. SPECIAL REPORTS:

ADJOURN:

Notice is hereby given that:

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- In the event of an absence of a full quorum, agenda items will be continued to the next regularly scheduled meeting.
- This meeting may involve the use of electronic communications for some of the members of this public body. The anchor location for the meeting shall be the Layton City Council Chambers, 437 North Wasatch Drive, Layton City. Members at remote locations may be connected to the meeting telephonically.
- By motion of the Layton City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed meeting for any of the purposes identified in that chapter.

Date: _____ **By:** _____
Thieda Wellman, City Recorder

LAYTON CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify Layton City eight or more hours in advance of the meeting. Please contact Kiley Day at 437 North Wasatch Drive, Layton, Utah 84041, 801.336.3825 or 801.336.3820.

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 5.A.

Subject:

Adopting and Approving a Real Estate Purchase from Utah Department of Transportation (UDOT) - Resolution 16-21 - Approximately 2060 North 1400 West

Background:

The State of Utah Department of Transportation (UDOT) has declared a certain piece of real property as surplus located at approximately 2060 North 1400 West, north of Antelope Drive and east of I-15. The property comprises approximately 1.1 acres. Acquisition of the UDOT property will enhance the marketability of the adjacent 7+ acre property for a regional retail development.

On January 5, 2016, an appraisal was performed for the UDOT property, establishing a value of \$125,000. Staff negotiated an agreement with UDOT for the appraised value.

Alternatives:

Alternatives are to 1) Adopt Resolution 16-21 adopting and approving the real estate purchase; 2) Adopt Resolution 16-21 with any amendments the Council deems appropriate; or 3) Not adopt Resolution 16-21 and remand to Staff with directions.

Recommendation:

Staff recommends the Council adopt Resolution 16-21 adopting and approving the real estate purchase and authorize the Mayor to sign the necessary documents.

RESOLUTION 16-21

A RESOLUTION ADOPTING AND APPROVING A REAL ESTATE PURCHASE AGREEMENT WITH THE STATE OF UTAH DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE OF CERTAIN REAL PROPERTY LOCATED AT APPROXIMATELY 2060 NORTH 1400 WEST, LAYTON, UTAH.

WHEREAS, The State of Utah Department of Transportation, hereinafter "UDOT", owns real property located at approximately 2060 North 1400 West, Layton, Utah, hereinafter "the Property"; and

WHEREAS, UDOT has declared the Property surplus and desires to sell the Property to the City; and

WHEREAS, the City conducted an appraisal and has negotiated with UDOT for the purchase of the Property; and

WHEREAS, an agreement has been reached between the City and UDOT, as expressed in the Settlement Invoice, hereinafter "the Agreement"; and

WHEREAS, the Layton City Council deems it to be in the best interest of the City to approve the Agreement, purchase the Property and accept the accompanying Quit Claim Deed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAYTON, UTAH:

1. That the City approve the Agreement between the City and UDOT and accept the Quit Claim Deed between the City and UDOT, which are attached hereto and incorporated herein by this reference.
2. That the Mayor be authorized to execute the Agreement, sign the acceptance of the Quit Claim Deed and any necessary documents required to complete the real estate transaction between the City and UDOT.

PASSED AND ADOPTED by the City Council of Layton, Utah, this _____ day of _____, 2016.

ROBERT J STEVENSON, Mayor

ATTEST:

THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:


GARY R. CRANE, City Attorney

SUBMITTING DEPARTMENT:


WILLIAM T. WRIGHT, Director
Community and Economic Development



SETTLEMENT INVOICE

PROPERTY MANAGEMENT
SETTLEMENT INVOICE:

Project Number:	NI-15-7(21)	PIN:	990010
Parcel Number:	6:AQ	CID:	

Location:	2060 NORTH 1400 WEST, LAYTON	Route:	I-15	Region:	1
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BUYER:	LAYTON CITY
ADDRESS:	437 NORTH WASATCH DRIVE, LAYTON UTAH 84041
SALES PRICE:	\$125,000.00
COMMENTS:	

Acceptance for value received:

Buyer

Date

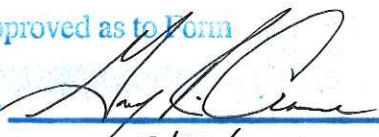
Utah Department of Transportation

Date

Approved as to Form

By

Date


3/29/2016

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

Quit Claim Deed

(Controlled Access)
Davis County

Parcel No. 15-7:6:AQ
Project No. NI-15-7(21)
Ref. Project No. I-15-7 (18) 326
Ref. Project No. F-001-7(21)

The UTAH DEPARTMENT OF TRANSPORTATION, by its duly appointed Director, Right-Of-Way, Grantor, of Salt Lake City, County of Salt Lake, State of Utah, hereby QUIT CLAIMS to, **LAYTON CITY**, Grantees, County of **Davis**, for the sum of \$10.00 (TEN) dollars, and other good and valuable considerations, the following described tract of land in Davis County, State of Utah, to-wit:

A tract of land situate in the Southeast Quarter of Section 7, Township 4 North, Range 1 West, Salt Lake Base and Meridian. The boundaries of said tract of land are described as follows:

Beginning on the South right-of-way line of 2250 North street in Layton, Utah which point is 1320.82 feet North 0°10'30" East along the East line of said Section 7 and 1536.08 feet South 89°46'27" West along said South right-of-way line of said 2250 North Street from the Southeast Corner of said Section 7, and running thence South 35°16'49" East 303.27 feet along the Easterly right-of-way line of the abandoned frontage road being also the Easterly right-of-way line of the former Bamberger Railroad Company; thence continuing along said Easterly right-of-way line of said abandoned frontage road as described in the recorded Warranty Deed with Entry No. 396901, Book 542, Page 374, the following two (2) courses: (1) South 47°07'46" East 353.85 feet, (2) South 54°34'33" East 488.07 feet; thence southerly 18.99 feet along a 416.50-foot-radius curve to the left through a central angle of 2°36'44", chord bears South 21°11'17" East 18.99 feet; thence South 0°10'30" West 42.75 feet to the northeasterly right-of-way and no-access line of I-15; thence continuing along said northeasterly right-of-way and no-access line of said I-15 the following two (2) courses and distances: (1) North 57°53'23" West 443.20 feet to the right-of-way marker at Engineer Station 30+33.10 of UDOT Project No. NI-15-7(21) to a point on curve with a 758.51-foot radius curve to the right, (2) Northwesterly 86.67 feet along the arc of said curve (note: chord for said curve bears North 54°38'50" West a distance of 86.62 feet, central angle=6°32'48"); thence North 36°54'05" West 410.47 feet to a point that is North 52°34'38" East 24.00 feet from the right-of-way marker at Engineer Station 35+54.84 of said project

Parcel No. 15-7:6:AQ
Project No. NI-15-7(21)
Ref. Project No. I-15-7 (18) 326
Ref. Project No. F-001-7(21)

No. NI-15-7(21), said point also being 24.00 feet perpendicularly distant from and parallel to said northeasterly right-of-way and no-access line; thence North 37°56'39" West 275.96 feet along said parallel line; thence North 89°46'27" East 23.26 feet to the point of beginning.

The above described tract of land contains 1.106 acres. The above described tract of land is granted without access to or from the easterly right-of-way and no-access line of I-15, being also part of the westerly boundary line of said tract.

Parcel No. 15-7:6:AQ
Project No. NI-15-7(21)
Ref. Project No. I-15-7 (18) 326
Ref. Project No. F-001-7(21)

Signs, billboards, outdoor advertising structures, or advertising of any kind as defined in 23 united states code, section 136, shall not be erected, displayed, placed or maintained upon or within this tract, except signs to advertise the sale, hire or lease of this tract or the principal activities conducted on this land.

The grantor reserves rights to use the abutting state property for highway purposes and excludes from this grant any rights to air, light, view and visibility over and across the abutting state property. The grantee is hereby advised that due to present or future construction on the adjacent highway including but not limited to excavation, embankment, structures, poles, signs, walls, fences and all other activities related to highway construction or which may be permitted within the highway right of way that air, light, view and visibility may be restricted or obstructed on the above property.

Together with and subject to any and all easements, rights of way and restrictions appearing of record or enforceable in law and equity.

Junkyards, as defined in 23 united states code, section 136, shall not be established or maintained on the above described tracts of lands.

State of Utah) Utah Department of Transportation
) ss.
 County of) by _____
 Director of Right Of Way

Witness my hand and official stamp the date in this certificate first above written.

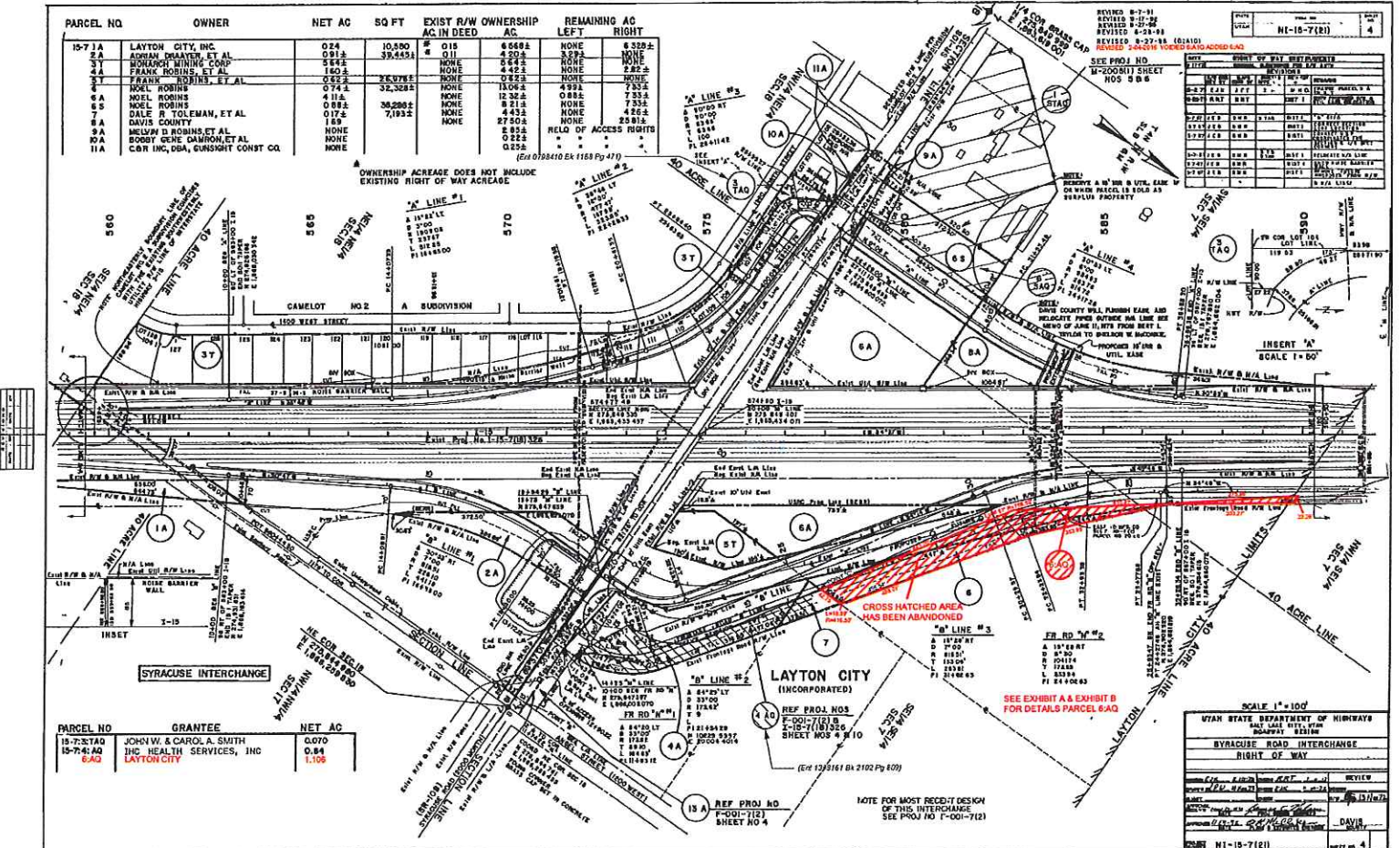
Approved as to Form

By [Signature]

Date 3/29/2016

PARCEL NO	OWNER	NET AC	50 FT	EXIST R/W	OWNERSHIP	REMAINING AC	RIGHT
15-71A	LAYTON CITY, INC.	0.24	10,590	# 015	6,688.2	NONE	6,328.2
2A	ADRIAN GRAYSON, ET AL.	0.913	39,451.1	# 011	4,208.2	3,592.2	NONE
3T	WONIGHT MINING CORP.	5.643	NONE	NONE	6,642.2	NONE	NONE
4A	FRANK ROBINS, ET AL.	160.2	NONE	NONE	4,482.2	NONE	2,872.2
5T	FRANK ROBINS, ET AL.	0.913	39,451.1	NONE	6,642.2	NONE	NONE
6	NOEL ROBINS	0.742	32,328.2	NONE	15,082.2	4,992.2	7,332.2
6A	NOEL ROBINS	4.112	NONE	NONE	12,328.2	0,882.2	7,332.2
6S	NOEL ROBINS	0.882	36,288.2	NONE	8,212.2	7,332.2	NONE
7	DALE R. TOLEMAN, ET AL.	0.173	7,193.2	NONE	4,432.2	NONE	4,258.2
7A	DAVID COUNTY	1.89	NONE	NONE	27,508.2	28,812.2	NONE
8A	MELVIN D. ROBINS, ET AL.	NONE	NONE	NONE	5,932.2	REL'D OF ACCESS RIGHTS	NONE
10A	BOBBY SCHE CAMMON, ET AL.	NONE	NONE	NONE	0.282	NONE	NONE
11A	CBN INC, DBA, GUNIGHT CONST CO.	NONE	NONE	NONE	0.252	NONE	NONE

OWNERSHIP ACRES DOES NOT INCLUDE EXISTING RIGHT OF WAY ACRES



PARCEL NO	GRANTEE	NET AC
15-71A	JOHN W. & CAROL A. SMITH	0.070
15-71A	INC. HEALTH SERVICES, INC.	0.84
6A	LAYTON CITY	1.108

UTAH STATE DEPARTMENT OF HIGHWAYS	
BYRACUSE ROAD INTERCHANGE	
RIGHT OF WAY	
NO.	DATE
1	11-15-71(1)
2	11-15-71(2)
3	11-15-71(3)
4	11-15-71(4)
5	11-15-71(5)
6	11-15-71(6)
7	11-15-71(7)
8	11-15-71(8)
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99	11-15-71(99)
100	11-15-71(100)

NOTE FOR MOST RECENT DESIGN OF THIS INTERCHANGE SEE PROJ NO. 1-001-7123

